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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE:

CIRCUIT CITY STORES, INC., et al.,

DEBTORS.

CHAPTER 11 (Jointly Administered)

CASE NO. 08-35653 (KRH)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Schimenti Construction Company, LLC (“**Schimenti Construction**”), by counsel, appeals under 28 U.S.C. § 158(a)(1) and Rule 8001(a) of the Federal Rules of Bankruptcy Procedure from the Second Supplemental Order on Debtors’ Fifth Omnibus Objection to Certain Misclassified Non-Goods 503(b)(9) Claims [Docket No. 7355] (the “**Order**”) entered by the Bankruptcy Court on April 30, 2010, occasioned by the Memorandum Opinion dated September 22, 2009 [Docket No. 5040] (the “**Opinion**”) and the corresponding order entered in accordance with the Opinion on September 22, 2009 [Docket No. 5041]; and

NOTICE IS FURTHER GIVEN that the names of all parties to the Order so appealed and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Appellant(s):

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Interested Parties:

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Dated: May 14, 2010
Richmond, Virginia

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/s/ Ryan C. Day
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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of May, 2010, the foregoing Notice of Appeal was filed with the Court via the Clerk's CM/ECF electronic filing system, which will send notification of such filing to the following parties:

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